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FISCAL IMPACT STATEMENT

LS 7274

BILL NUMBER: HB 1557

NOTE PREPARED: Jan 12, 2013

BILL AMENDED:

SUBJECT: Informed Consent Brochure for Abortions.

FIRST AUTHOR: Rep. Carbaugh

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires the Indiana State Department of Health (ISDH) to develop an informed consent brochure containing specified information related to an abortion and post the brochure on the ISDH Internet web site.

The bill requires a provider who is to perform an abortion or a delegated person to provide a color copy of the informed consent brochure and other specified information to the pregnant woman at least 18 hours before the abortion.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Summary:* An estimate based on the experience of the Texas Department of State Health Services in implementing a similar requirement indicates that approximately \$5,100 to \$20,100 may be necessary for the ISDH to develop the required written information and post it to the ISDH web page. If acceptable color photographs or drawings can be used at no cost, the cost may be approximately \$5,100.

The additional funds and resources required could be supplied through existing staff and resources currently budgeted in another program or with new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions.

Additional Details: The bill requires specified written information to be developed by the ISDH that is to be provided as a part of the informed consent brochure to be given to a pregnant woman. The bill requires the brochure be available on the ISDH web site. The information to be in the document includes the following:

scientific information regarding the development of a fetus, including color pictures of every two weeks of gestational age; medically accurate information regarding the medical risks associated with abortion and childbirth; information regarding assistance for pregnancy and childbirth; information regarding a biological father's obligation to pay child support; information regarding Indiana's Safe Haven Law; and information regarding telephone 211 dialing for accessing human services and the types of services available through the 211 service. The ISDH currently provides links to various web sites that provide the required information and more at: <http://www.in.gov/isdh/25199.htm>

The state of Texas enacted a similar requirement in 2003. The Texas Department of State Health Services estimated that 160 hours were used to assemble the initial document with the required information. Texas personnel suggested that by using the Texas template that the ISDH could reduce the amount of time required to assemble all the required information. The Texas document is copyrighted. If 160 hours were required to assemble the information and write the document, using an average total cost of \$32 per hour, assembling a booklet would be anticipated to cost approximately \$5,100. The ISDH could potentially contract for this work if no in-house staff is available.

The bill requires that the ISDH is to include objective scientific information concerning the probable anatomical and physiological characteristics of a fetus every two weeks of gestational age and must include color pictures that are available at no cost or low cost. The Texas Department of State Health Services reported that the color photographs used to illustrate the required two-week development phases of the embryo and fetus are copyrighted and cost \$15,000 for the original version. The availability of other drawings or photographs that meet the requirements of the bill is not known at this time. Web searches for the required series of developmental images show copyrighted information.

The bill requires the providers to supply the brochure by downloading the document from the ISDH web site and printing the brochure in color so the state would have no printing or distribution costs.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: ISDH.

Local Agencies Affected:

Information Sources: Texas Department of State Health Services and Texas Women's Right to Know web page at: <http://www.dshs.state.tx.us/wrtk/default.shtm>. Accessed on 1/11/2013.

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